

## AGENDA MEMO

**CITY COUNCIL MEETING DATE: AUGUST 16, 2006**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: ZON-13867 - APPLICANT/OWNER: HOT ENDEAVOR, LLC**

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### **\*\* CONDITIONS \*\***

The Planning Commission (3-1-2/sd/ld/sd vote) recommends DENIAL. Staff recommends APPROVAL, subject to:

#### **Planning and Development**

1. A Resolution of Intent with a two-year time limit is hereby granted.
2. A Site Development Plan Review (SDR-13866) application approved by the City of Las Vegas is required prior to issuance of any permits, any site grading, and all development activity for the site.

#### **Public Works**

3. Dedicate 30 feet of right-of-way and those portions of Silver Sky Drive necessary to complete the cul-de-sac adjacent to this site prior to the issuance of any permits.
4. Construct all incomplete half-street improvements on Silver Sky Drive adjacent to this site concurrent with development of this site.
5. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

**\*\* STAFF REPORT \*\***

**APPLICATION REQUEST**

This is a request for a Rezoning from U (Undeveloped) [M (Medium Density Residential)] to R-3 (Medium Density Residential) on 5.0 acres generally located approximately 335 feet west of the intersection of Silver Sky Drive and Roland Wiley Road. The applicant indicates this will be an apartment complex for senior citizens.

A related Site Development Plan Review (SDR-13866) for a 125 unit senior living apartment facility on this site will also be considered on this agenda.

**EXECUTIVE SUMMARY**

The proposed rezoning to the R-3 (Medium Density Residential) zoning district is consistent with the existing M (Medium Density Residential) Master Plan designation. It is also consistent with the existing multi-family and commercial uses in the vicinity.

**BACKGROUND INFORMATION**

***A) Related Actions***

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|----------|--|
| 04/19/06 | The City Council accepted the applicants request to withdraw ZON-10774, SDR-10771 without prejudice. Staff had recommended denial of these applications due to the proposed four story, 58 foot height of the proposed condominiums. |
| 07/13/06 | The Planning Commission recommended denial of companion item SDR-13866 concurrently with this application.   |
| 07/13/06 | The Planning Commission voted 3-1-2/sd/lld/ds to recommend DENIAL (PC Agenda Item #47/ar).   |

***B) Pre-Application Meeting***

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|----------|--|
| 05/15/06 | Staff explained the requirements of a rezoning application and a site development plan review application. |
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***C) Neighborhood Meetings***

A neighborhood meeting is not required as part of this application request, nor was one held to the knowledge of city staff.

**DETAILS OF APPLICATION REQUEST**

***A) Site Area***

Net Acres: 5.0

***B) Existing Land Use***

Subject Property: Vacant Lot  
North: Summerlin Parkway  
South: Multi-Family Residential  
East: Multi-Family Residential  
West: Multi-Family Residential

***C) Planned Land Use***

Subject Property: M (Medium Density Residential)  
North: Summerlin Parkway  
South: M (Medium Density Residential)  
East: MLA (Medium-Low Attached Density Residential)  
West: M (Medium Density Residential)

***D) Existing Zoning***

Subject Property: U (Undeveloped) [M (Medium Density Residential) Master Plan Designation]  
North: Summerlin Parkway  
South: R-PD11 (Residential Planned Development – 11 Units Per Acre)  
East: R-PD10 (Residential Planned Development – 10 Units Per Acre)  
West: R-PD16 (Residential Planned Development – 16 Units Per Acre)

***E) General Plan Compliance***

The subject property is designated as M (Medium Density Residential) under the Southwest Sector Plan of the General Plan. The Medium Density Residential category includes a variety of multi-family units such as lexes, townhouses, and low-density apartments. This category allow up to 25.49 units per acre. The proposed development will have a density of 24.0 units per acre and is in compliance with the General Plan.

<b><i>SPECIAL DISTRICTS/ZONES</i></b>	<b>Yes</b>	<b>No</b>
<b>Special Area Plan</b>		<b>X</b>
<b>Special Overlay District</b>		<b>X</b>
<b>Trails</b>		<b>X</b>
<b>Rural Preservation Overlay District</b>		<b>X</b>
<b>County/North Las Vegas/HOA Notification</b>		<b>X</b>
<b>Development Impact Notification Assessment</b>		<b>X</b>
<b>Project of Regional Significance</b>		<b>X</b>

The proposed development is not subject to any special area districts or zones.

***F) Density***

<b><i>EXISTING ZONING</i></b>	<b><i>PERMITTED DENSITY</i></b>	<b><i>PROPOSED ZONING</i></b>	<b><i>PERMITTED DENSITY</i></b>	<b><i>GENERAL PLAN</i></b>	<b><i>PERMITTED DENSITY</i></b>
U (M)	2.0 du/ac	R-3	25.00 du/ac	M	25.49 du/ac

The proposed rezoning to the R-3 (Medium Density Residential) zoning district will allow a residential density of 25.00 units per acre. The site plan proposes 120 apartments, which will result in a density of 24.0 units per acre. Given the existing M (Medium Density Residential) Master Plan designation, the requested rezoning request is appropriate for this site.

**ANALYSIS**

***A) Zoning Code Compliance***

**A1) Development Standards**

Pursuant to Title 19.08, the following Development Standards apply to the subject proposal:

<b>Standards</b>	<b>Required</b>	<b>Provided</b>	<b>Compliance</b>
Min. Lot Size	6,500 Square Feet	5 Acres	Y
Min. Lot Width	N/A	250 Feet	Y
Min. Setbacks			
• Front	20 Feet	20 Feet	Y
• Side	5 Feet	15 Feet	Y
• Rear	20 Feet	20 Feet	Y
Max. Lot Coverage	N/A	32 %	Y
Max. Building Height	2 Stories / 35 Feet	2 Stories/33 Feet	Y

The proposed apartment buildings meet the development standards of the R-3 (Medium Density Residential) zoning district.

***B) General Analysis and Discussion***

The applicant is seeking a rezoning to the R-3 (Medium Density Residential) classification, which is intended for multi-family development with up to 25.0 units per acre. This 5.0 acre site is currently undeveloped. The related Site Development Plan Review (SDR-13866) indicates that eight apartment buildings will be developed on the subject site.

The proposed rezoning to the R-3 (Medium Density Residential) zoning district is consistent with the existing M (Medium Density Residential) Master Plan designation. It would also make it consistent with surrounding land uses, which consist of multi-family development.

**FINDINGS**

In order to approve a Rezoning application, pursuant to Title 19.18.040, the Planning Commission or City Council must affirm the following:

**1. “The proposal conforms to the General Plan.”**

The subject property is designated as M (Medium Density Residential) under the Southwest Sector Plan of the General Plan. The Medium Density Residential category includes a variety of multi-family units such as plexes, townhouses, and low-density apartments. This category allow up to 25.49 units per acre. The proposed multi-family development will have a density of 24.0 units per acre and is in compliance with the General Plan.

**2. “The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts.”**

The multi-family uses allowed on the subject property by the R-3 (Medium Density Residential) district would be consistent with the exiting multi-family residential and commercial uses in the surrounding area.

**3. “Growth and development factors in the community indicate the need for or appropriateness of the rezoning.”**

Given the existing General Plan designation of M (Medium Density Residential) on the subject site, the rezoning to the R-3 (Medium Density Residential) zoning district is appropriate for the area.

4. **“Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district.”**

The site will receive access from Silver Sky Drive, which is adequate in size to meet the requirements of the proposed R-3 (Medium Density Residential) zoning district.

**PLANNING COMMISSION ACTION**

There was one speaker in opposition to this project.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

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**ASSEMBLY DISTRICT** 34

**SENATE DISTRICT** 8

**NOTICES MAILED** 295 by Planning Department

**APPROVALS** 0

**PROTESTS** 2